

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOC #:
DATE FILED: 7/10/08

FREDERICK S. SCHWARTZ, individually and on
behalf of all similarly situated persons,

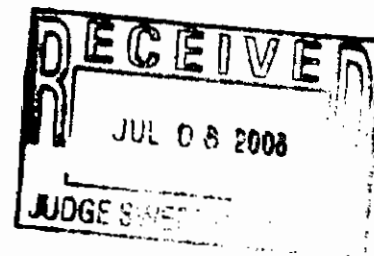
Plaintiff,

v.

THE BEAR STEARNS COMPANIES INC., JAMES E.
CAYNE, ALAN D. SCHWARTZ, and SAMUEL L.
MOLINARO, JR.

Defendants.

08 CV 4972 (RWS)



STIPULATION AND [PROPOSED] ORDER

WHEREAS, the complaint in *Schwartz v. The Bear Stearns Companies Inc., et al.* was filed on May 29, 2008;

WHEREAS, there have been no previous requests for an extension of time to answer, move against, or otherwise respond to the complaints served in the above-captioned action;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties to these actions, as follows:

1. Defendants shall not be required to answer or otherwise respond to, and are hereby expressly relieved from answering or otherwise responding to, the complaints in the above-captioned action;

2. Plaintiffs shall have sixty (60) days from the entry of the order pursuant to the Private Securities Litigation Reform Act appointing Lead Plaintiff(s) and Lead Counsel to serve and file a consolidated amended complaint (the "Complaint");

3. Defendants shall have sixty (60) days to answer, move against, or otherwise respond to the Complaint;

4. In the event Defendants move to dismiss the Complaint:


(a) Plaintiffs shall have sixty (60) days from the date such motion is served to serve and file opposition papers; and

(b) Defendants shall have forty-five (45) days from the date opposition papers are served by plaintiffs to serve and file reply papers.

IT IS FURTHER STIPULATED AND AGREED that nothing herein shall be deemed to constitute a waiver of any defenses in this action. Defendants reserve all arguments and defenses in the above-captioned actions.

Dated: July ~~7~~, 2008
New York, New York

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Attorneys for Defendant James E. Cayne

4. In the event Defendants move to dismiss the Complaint:

(a) Plaintiffs shall have sixty (60) days from the date such motion is served to serve and file opposition papers; and

(b) Defendants shall have forty-five (45) days from the date opposition papers are served by plaintiffs to serve and file reply papers.

IT IS FURTHER STIPULATED AND AGREED that nothing herein shall be deemed to constitute a waiver of any defenses in this action. Defendants reserve all arguments and defenses in the above-captioned actions.

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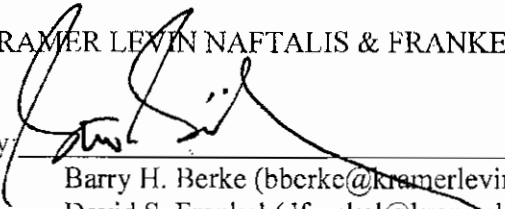
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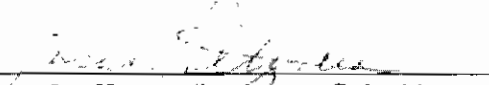
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SO ORDERED:

U.S.D.J.

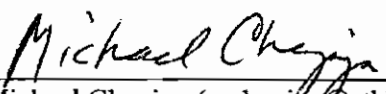
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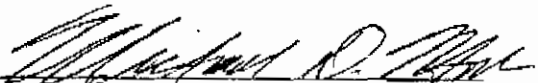
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U.S.D.J. 7.9.08